

~~terest.~~ The action for injunctive relief may be brought by an affected person. For the purposes of this section, "affected person" means any person directly impacted by the actions of a person suspected of violating the provisions of section 543B.1, including but not limited to the commission created in section 543B.8, a person who has utilized the services of a person suspected of violating the provisions of section 543B.1, or a private association composed primarily of members practicing a profession for which licensure is required pursuant to this chapter.

2. If successful in obtaining injunctive relief, the affected person shall be entitled to actual costs and attorney fees, ~~unless the person suspected of violating a provision of section 543B.1 prevails in any application for permanent injunctive relief.~~ For the purposes of this section, "actual costs" means those costs other than attorney fees which were actually incurred in connection with the action, including but not limited to court and witness fees, investigative expenses, travel expenses, legal research expenses, and other related fees and expenses.

Sec. 5. Section 558A.1, subsection 4, Code Supplement 2005, is amended by adding the following new paragraph:

NEW PARAGRAPH. i. A transfer by a power of attorney.

Approved April 12, 2006

CHAPTER 1056

DRAINAGE AND LEVEE DISTRICTS — IMPROVEMENTS — BID PROCEDURE

H.F. 2635

AN ACT relating to drainage and levee districts by providing for the publication of notice and the letting of bids.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 468.34, Code 2005, is amended to read as follows:
468.34 ADVERTISEMENT FOR BIDS.

The board shall publish notice once each week for two consecutive weeks in a newspaper published in the county where the improvement is located, and publish additional advertisement and publication elsewhere as the board may direct. The notice shall state the time and place of letting the work of construction of the improvement, specifying the approximate amount of work to be done in each numbered section of the district, the time fixed for the commencement, and the time of the completion of the work, that bids will be received on the entire work and in sections or divisions of it, and that a bidder will be required to deposit with the bid cash, a certified check on and certified by a bank in Iowa, or a certified share draft from a credit union in Iowa payable to the auditor or the auditor's order, at the auditor's office, in an amount equal to ten percent of the bid, in no case to exceed ten thousand dollars. ~~If the estimated cost of the improvement exceeds fifteen thousand dollars, the board may make additional publication for two consecutive weeks in a contractors' journal of general circulation, giving only the type of proposed construction or repairs, estimated amount, date of letting, amount of bidder's bond, and name and address of the county auditor.~~ All notices shall fix the date to which bids will be received and upon which the work will be let. However, when the estimated cost of the improvement is less than ~~ten~~ fifteen thousand dollars, the board may let the contract for the construction without taking bids and without publishing notice.

Sec. 2. Section 468.66, Code 2005, is amended to read as follows:

468.66 BIDS REQUIRED.

In case the board shall finally determine that any such changes as defined in section 468.62 shall be made involving an expenditure of ~~ten~~ fifteen thousand dollars or more, the work shall be let by bids in the same manner as is provided for the original construction of such improvements.

Approved April 12, 2006

CHAPTER 1057

AGRICULTURAL DRAINAGE WELLS AND WATER QUALITY PRACTICES

H.F. 2679

AN ACT relating to agricultural drainage wells by providing for the implementation of water quality practices as an alternative to constructing alternative drainage systems.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 460.303, Code 2005, is amended to read as follows:

460.303 AGRICULTURAL DRAINAGE WELLS — ~~ALTERNATIVE DRAINAGE SYSTEM~~
WELL WATER QUALITY ASSISTANCE FUND.

1. ~~An alternative drainage system~~ agricultural drainage well water quality assistance fund is created in the state treasury under the control of the soil conservation division. The fund is composed of moneys appropriated by the general assembly, and moneys available to and obtained or accepted by the division or the state soil conservation committee established pursuant to section 161A.4, from the United States or private sources for placement in the fund.

2. Moneys in the fund are subject to an annual audit by the auditor of state. ~~The fund is subject to warrants written by the director of the department of administrative services, drawn upon the written requisition of the division.~~

3. The fund shall be used to support ~~the alternative drainage system~~ an agricultural drainage well water quality assistance program as provided in section 460.304. Moneys shall be used to provide financial incentives under the program, and to defray expenses by the division in administering the program. However, not more than one percent of the money in the fund is available to defray administrative expenses. The division may adopt rules pursuant to chapter 17A to administer this section.

4. The division shall not in any manner directly or indirectly pledge the credit of the state.

5. Section 8.33 shall not apply to moneys in the fund. Notwithstanding section 12C.7, moneys earned as income, including as interest, from the fund shall remain in the fund until expended as provided in this section.

Sec. 2. Section 460.304, subsections 1 and 2, Code 2005, are amended to read as follows:

1. The soil conservation division shall establish an ~~alternative drainage system~~ agricultural drainage well water quality assistance program as provided by rules which shall be adopted by the division pursuant to chapter 17A. The program shall be supported from moneys deposited in the ~~alternative drainage system~~ agricultural drainage well water quality assistance fund created pursuant to section 460.303.

2. To the extent that moneys are available to support the program, the division shall ~~provide~~ expend moneys from the fund to do the following: